

[Counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA (DMR)

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND THE NON-
DAMAGES EXPERT DISCOVERY
CUT-OFF FOR THE DEPOSITION
OF DAVID AUGUST**

Judge: Honorable William H. Alsup

STIPULATION

WHEREAS, non-damages expert discovery in this case will close on September 15, 2011;

WHEREAS, the parties will have completed all but one non-damages expert deposition, described below, by September 15, 2011;

WHEREAS, Google Inc. ("Google") has retained Dr. David August to provide an expert opinion regarding non-infringement of the '104 and '205 patents;

WHEREAS, Dr. August is available for deposition on September 16, 2011, and Oracle America, Inc. ("Oracle") has served a subpoena for his deposition on that date; and

WHEREAS, the parties agree to an extension of the non-damages expert discovery cut-off to September 16, 2011, for the limited purpose of completing the deposition of Dr. August.

NOW THEREFORE THE PARTIES HEREBY STIPULATE AND AGREE that:

1. The non-damages expert discovery cut-off shall be extended to September 16, 2011 for the limited purpose of completing the deposition of Dr. David August.

2. No other deadlines in this case will be affected by the foregoing extension. The parties will not use this extension to argue for a delay of the trial date or any other deadlines in this case.

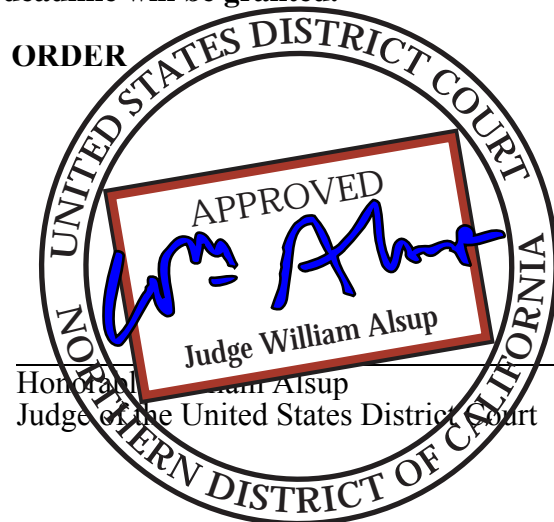
3. No more extensions of this deadline will be granted.

ORDER

Based on the foregoing stipulation,

IT IS SO ORDERED.

Date: September 16, 2011.



1 Dated: September 15, 2011

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1 Dated: September 15, 2011

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ATTESTATION

I, Daniel P. Muino, am the ECF User whose ID and password are being used to file this
**STIPULATION AND [PROPOSED] ORDER TO EXTEND THE NON-DAMAGES
EXPERT DISCOVERY CUT-OFF FOR THE DEPOSITION OF DAVID AUGUST.** In
compliance with General Order 45, X.B., I hereby attest that Eugene M. Paige has concurred in
this filing.

Date: September 15, 2011

/s/ Daniel P. Muino
Daniel P. Muino